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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Lisa S. Martin, Tracy A. Masson, Matthew S. Snyder, Philip F. Mallory
Assignee: Dell Products L.P.
Title: Inventory and Order Management Tool
Serial No.: 09/773,102 Filing Date: January 31, 2001
Examiner: Lynda C. Jasmin Group Art Unit: 3627
Docket No.: DC-02830 Customer No. 33438

Austin, Texas
April 28, 2006

Mail Stop Appeal Brief - Patents
Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

Dear Sir:

Applicant submits this Reply Brief in response to the Examiner's Answer dated March 2, 2006. It is believed that no fees are due in connection with the filing of this Reply Brief, however, the Commissioner is authorized to deduct any amounts required for this Reply Brief and to credit any amounts overpaid to Deposit Account No. 502264.

In response to Applicants arguments, the Examiner sets forth:

Appellants next argue "Goss does not disclose or suggest material not being ordered until the manufacturer realizes a demand." The Examiner respectfully disagrees. Goss discloses a manufacturing or assembly system for producing a variety of products, (Examiner's Answer, Page 4, Lines 3-6).

Goss disclosing a kitting stage that is pulled and order driven does not support the contention that Goss discloses a method for a manufacturer to order material, merely that the material receives components from a component source.

Additionally, in response to Applicants arguments, the Examiner sets forth:

Appellants next argue “Goss does not disclose or suggest material not being ordered until the manufacturer realizes a demand.” The Examiner respectfully disagrees. Goss discloses a manufacturing or assembly system for producing a variety of products, which includes a kitting stage that is both pulled and order-driven and has a kitting unit that receives product order information. Components needed for assembly are identified and pulled to build a kit. Once prepared, the kit is transferred to the assembly unit (Examiner’s Answer, Page 4, Lines 3-9).

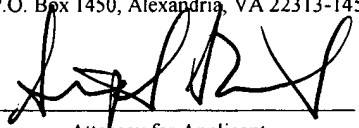
Pulling materials to build a kit as disclosed by Goss assumes that the materials are already present in the factory. This contention actually teaches away from the present invention where the material is not ordered until the manufacturer realizes a demand.

Additionally, in response to Applicants arguments, the Examiner sets forth:

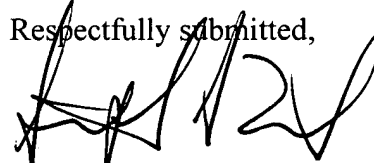
Appellants further argue, “Aram and Goss taken alone or in combination, do not disclose or suggest identifying a supplier or supplier logistics center to receive an order for a material based upon considering a quantity of a material available, much less ordering the material from the supplier or supplier logistic center identified to receive the order and assembling the computer system at an assembly facility from the material received at the assembly facility, as required by claim 7 and as generally required by claims 13 and 19.” The Examiner respectfully disagrees. The Examiner notes that Aram discloses considering a quantity of a material via suppliers inventory of items, goods, parts and/or sub-assemblies and the like that are available from a plurality of suppliers 102 via a computer system, and considering a quantity of a material available from a plurality of supplier logistics centers via distributor 104 and further identifying a supplier or a supplier logistics center to receive an order for the material based upon the considering of stock level held by relevant suppliers or elsewhere (see paragraph [109]). The Examiner further notes that Goss discloses a knitting [sic] unit that receives computer system components from component source 138, which may be a warehouse, a truck delivering components just in time, or the like (col. 6, lines 4-7). (Examiner’s Answer, Pages 4-5, Lines 10-3).

While Aram discloses ordering items by a customer from an intermediary, Aram does not disclose supplier logistics centers or identifying a supplier or a supplier logistics center to receive an order for material based upon considering a quantity of material available from the supplier and the supplier logistics center. Goss does not cure this deficiency of Aram.

For the reasons set forth above, Applicant respectfully submits that the rejection of pending Claims 1, 3, 5 – 9, 11 – 15, 17 – 18 is unfounded, and requests that the rejection of claims 1, 3, 5 – 9, 11 – 15, 17 – 18 be reversed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Appeal Brief – Patents, Board of Patent Appeals and Interferences, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on April 28, 2006.	
	4/28/06
Attorney for Applicant	Date of Signature

Respectfully submitted,



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